

Application No. 09/838,382  
Amendment dated May 18, 2005  
Reply to Advisory Action of May 2, 2005

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-2 (canceled)

Claims 3-13 (canceled)

Claim 14 (previously presented): A variant strain of *Eimeria maxima*, said variant strain is designated *E. maxima*-I and is deposited under the ATCC accession number PTA-4959.

Claim 15 (previously presented): The variant strain *E. maxima*-I (ATCC number PTA-4959) of Claim 14 which is further identified by the characteristic wherein: immunization with *E. maxima*-I (ATCC number PTA-4959) protects against challenge with *E. maxima*-I (ATCC number PTA-4959) but does not protect against challenge with the Guelph strain of *E. maxima*, designated *E. maxima*-GLP, an indication that *E. maxima*-I (ATCC number PTA-4959) has no detectable immunological cross reactivity with *E. maxima*-GLP.

Claim 16 (canceled)

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This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

**Claim 1 (canceled)**

**Claim 2 (canceled)**

**Claim 3 (withdrawn):** A vaccine for use in combating coccidiosis in chickens comprising an effective concentration of oocysts of *E. maxima*-I together with a pharmaceutically and/or veterinarily acceptable carrier, diluent, excipient and/or adjuvant.

**Claim 4 (withdrawn):** A vaccine for use in combating coccidiosis in chickens comprising an effective concentration of oocysts of an immunovariant strain of *Eimeria maxima* that corresponds in characteristics to the strain *E. maxima*-I together with a pharmaceutically and/or veterinarily acceptable carrier, diluent, excipient and/or adjuvant.

**Claim 5 (withdrawn):** The vaccine of Claim 3 comprising oocysts of other species or strains of *Eimeria*.

**Claim 6 (withdrawn):** The vaccine of Claim 4 comprising oocysts of other species or strains of *Eimeria*.

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Claim 7 (withdrawn): The vaccine of Claim 5 or Claim 6 further comprising immunogens related to other pathogens of poultry.

Claim 8 (withdrawn): A method of inhibiting coccidiosis in poultry which comprises administering to the chickens an effective amount of a vaccine as claimed in Claim 5.

Claim 9 (withdrawn): A method of inhibiting coccidiosis in poultry which comprises administering to the chickens an effective amount of a vaccine as claimed in Claim 6.

Claim 10 (withdrawn): A method of inhibiting coccidiosis in poultry which comprises administering to the chickens an effective amount of a vaccine as claimed in Claim 5 together with an effective amount of an anticoccidial medication.

Claim 11 (withdrawn): A method of inhibiting coccidiosis in poultry which comprises administering to the chickens an effective amount of a vaccine as claimed in Claim 6 together with an effective amount of an anticoccidial medication.

Claim 12 (withdrawn): A method of obtaining an immunovariant strain of *Eimeria maxima* from *Eimeria maxima* FL strain comprising:

- a. immunizing birds with oocysts of *E. maxima*-GLP;
- b. challenging said birds with oocysts of *E. maxima*-FL;
- c. recovering oocysts from birds which had been immunized with *E. maxima*-GLP and challenged with *E. maxima*-FL;

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- d. challenging *E. maxima*-GLP-immunized birds with said recovered oocysts;
- e. recovering oocysts;
- f. repeating steps d and e at least one time; and
- g. obtaining an immunovariant strain of *E. maxima*.

Claim 13 (withdrawn): An immunovariant strain of *Eimeria maxima* isolated by the method of Claim 10.

Claim 14 (previously presented): A variant strain of *Eimeria maxima*, said variant strain is designated *E. maxima*-I and is deposited under the ATCC accession number PTA-4959.

Claim 15 (previously presented): The variant strain *E. maxima*-I (ATCC number PTA-4959) of Claim 14 which is further identified by the characteristic wherein:

immunization with *E. maxima*-I (ATCC number PTA-4959) protects against challenge with *E. maxima*-I (ATCC number PTA-4959) but does not protect against challenge with the Guelph strain of *E. maxima*, designated *E. maxima*-GLP, an indication that *E. maxima*-I (ATCC number PTA-4959) has no detectable immunological cross reactivity with *E. maxima*-GLP.

Claim 16 (previously presented): A variant strain of *Eimeria maxima* wherein said

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variant strain corresponds in characteristics to the strain *E. maxima*-I (ATCC number PTA-4959) as set forth in Claim 15 wherein:

immunization with said variant strain or *E. maxima*-I (ATCC number PTA-4959) protects against challenge with said variant strain or *E. maxima*-I (ATCC number PTA-4959), but does not protect against challenge with *E. maxima*-GLP, an indication that said variant strain has no detectable immunological cross reactivity with *E. maxima*-GLP.